

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**BRANDON GARRETT**

**PLAINTIFF**

**V.**

**NO. 1:16-CV-197-DMB-DAS**

**CITY OF TUPELO, MISSISSIPPI**

**DEFENDANT**

**ORDER**

On May 31, 2018, the City of Tupelo filed a motion to continue trial in this matter due to a conflict with a previous trial setting. Doc. #65. On June 29, 2018, the City moved to withdraw its motion to continue on the ground that the case with the conflicting trial settling had been settled. Doc. #75.

On July 3, 2018, the City filed a motion in limine seeking to exclude certain lay evidence. Doc. #80.

Upon consideration of these motions:

1. The City's motion to withdraw its motion to continue [75] is **GRANTED**. Accordingly, the Clerk of the Court is **DIRECTED** to terminate the City's motion to continue [65].

2. The City's motion in limine [80], which was filed after the motion in limine deadline set in this action's Case Management Order,<sup>1</sup> is **DENIED** as untimely.<sup>2</sup>

**SO ORDERED**, this 6th day of July, 2018.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**

---

<sup>1</sup> See Doc. #14.

<sup>2</sup> Though the motion in limine is denied as untimely, Garrett is encouraged to review this Court's June 14, 2018, order regarding lay testimony in this matter. See Doc. #68.